

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff,

vs.

Civil Action No 03-347Erie  
Misc. No

LESLIE M. KING, Individually and  
As surviving spouse of KIMBERLY  
L. KING, deceased

Defendant

**MOTION TO VACATE DEFAULT JUDGMENT**

AND NOW, comes Plaintiff, the United States of America, by and through its counsel, Mary Beth Buchanan, United States Attorney in and for the Western District of Pennsylvania and the Bernstein Law Firm, P.C., private counsel to the United States of America, and files its Motion to Vacate Default Judgment, as follows:

1. Plaintiff, United States of America, is a sovereign corporation and is hereinafter referred to as "Plaintiff".
2. Defendant is an adult individual whose last known address is 413 Townshipline Road, Oil City, PA 16301
3. The instant action was instituted by the filing of a Complaint in Mortgage Foreclosure on October 20, 2003.

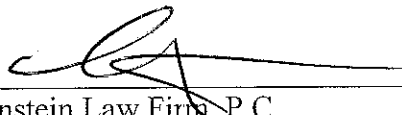
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- 4 The United States Marshal's Office made personal service of the complaint on October 29, 2003
- 5 Plaintiff subsequently entered a Default Judgment on March 18, 2004
- 6 The Defendant has cured his mortgage arrears on or about November, 2004.

WHEREFORE, Plaintiff, the United States of America, requests that this Honorable Court enter an Order vacating the Default Judgment against the Defendant and permitting Plaintiff to discontinue the action without prejudice to refile in the event of any future defaults.

Respectfully submitted,

UNITED STATES OF AMERICA  
MARY BETH BUCHANAN  
UNITED STATES ATTORNEY  
WESTERN DISTRICT OF PENNSYLVANIA

By:   
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